

Benjamin Brown
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October 1, 2021

Comment as to Agenda Item at October 4, 2021 Common Council Meeting

Re: Application of WP Mall Realty LLC, Hamilton Green I Partners LLC (“Phase 1 Developer”), and SWDWP LLC (“Phase 2 Developer”), for Amendments to Conceptual Development Plan, Amendments to Site Plan and for Extension of Time regarding Proposed Development, “Hamilton Green,” at 200 Hamilton Ave

To the Honorable Members of the Common Council:

As a citizen of White Plains who lives close to the proposed development and whose neighborhood will be affected by it, I write to offer my comments. I have previously offered comments on the proposed Hamilton Green development (and the related re-zoning of the underlying land from the B-2 Neighborhood Business Zoning District to the TD-1 Transit Zoning District) at the July 2, 2018 meeting of the Common Council. The comments in this letter concern the application that was first presented at your September 27, 2021 Special Meeting / Work Session and is to be presented again at your October 4, 2021 meeting.

Point I: The Cumulative Environmental Impact of Development Proximate to the Bronx River Parkway Reservation Should Be Considered

The developers’ application for amendment to the conceptual development plan, and for amendment to and extension of site plan approval, takes place in a context of different environmental considerations than did the original requests for re-zoning, for conceptual development plan approval in September, 2018, and for site plan approval on April 6, 2020. The reason I make this statement is that, cumulatively, the developments which are now taking place or under consideration in the Fisher Avenue / Ferris Avenue / Haarlem Avenue corridor in White Plains are likely to have a significant adverse impact on the environmental quality of the Bronx River Parkway Reservation, which is practically adjacent to these developments and which will see a marked increase in use, both pedestrian and vehicular, due to the construction of well over a thousand new residential units across these several developments. The other developments which, in combination with this proposed development, are likely to

impact the Bronx River Parkway Reservation are One Water Street (twenty-two stories, 301 residential units, 307 parking spaces, 1,200 square feet of retail space) and 20 Haarlem Avenue, 7-11 Holland Avenue, and 27 Holland Avenue (six stories not counting underground parking, 296 residential units, 380 parking spaces, 1,000 square feet of retail space) – and possibly others, both already underway/completed and likely to follow.

Given this cumulative impact, it is time that these developments undergo supplemental environmental review, specifically for consideration of impacts on the Bronx River Parkway Reservation. Each of these developments respectively involves actions which were classified as Type I actions under the State Environmental Quality Review Act. The combined impact of these actions is substantial enough to warrant a “hard look” at potential effects on the Bronx River Parkway Reservation, which functions both as a recreational resource for citizens of White Plains and neighboring towns, and as a habitat for wildlife.

I am an active user of the Bronx River Parkway Reservation. I reside at a 149-unit cooperative tower on Ferris Avenue located perhaps 1,000 feet from the Reservation, separated from the Reservation by the Harlem Line train tracks and Ferris Avenue. I regularly access the Reservation from Cemetery Road in White Plains, and use the bike/walking trail as far north as the Kensico Dam and as far south as the bridges below Main Street in White Plains. I can see the Reservation from my apartment windows, and I visit the Reservation every week.

One impact, obvious to me, is litter. As is not surprising, when running on the Reservation’s bike/walking trail, I notice much more litter alongside and in the river where it is nearer to dense development. In other words, there is more litter alongside and in the river around the train station and Main Street in White Plains, and just south of there, and there is relatively less litter in the more northerly stretch beginning around Cemetery Road and continuing to Kensico Dam Plaza which is not as close to dense residential and commercial development. I have noticed copious litter including small items but also discarded tires and shopping carts, often in the waters of the Bronx River itself. Given its quantity, the litter is a serious impact on the environmental quality of the Reservation. Litter and the other impacts of increased use affect the quality of the Bronx River Parkway Reservation as a recreational park.

While these developments have generally been supported by traffic studies, such traffic studies are concerned with the developments’ effect on peak-hour traffic congestion rather than the effect on the recreational value and environmental quality of the Bronx River Parkway Reservation. Increased traffic which is not great enough to cause a peak-hour traffic jam may nonetheless be great enough to adversely affect the

recreational value and environmental quality of the park. Particular to this issue, I have noticed that, some distance south of Main Street in White Plains, where the bike/walking trail along the Bronx River is to the immediate east of and at a lower elevation than the parkway and air tends to be trapped in a natural depression caused by the river, foul odors develop likely from car exhaust. Increased traffic on the Bronx River Parkway as it passes through parkland should be considered through the lens of recreational and environmental impact, not solely through the lens of motorists' travel-time.

There may of course be other impacts, such as on the suitability of the Bronx River Parkway Reservation as habitat for wildlife. It is unknown to me whether the Bronx River Parkway Reservation is home to any species that are state-listed as endangered, threatened, of special concern, or of great conservation need, but based on my knowledge of local ecology it is at least plausible that certain such species, including the American Eel, make use of the Bronx River or its surrounding protected parklands as a home, as a place of breeding, or as a foraging/hunting ground.¹ The potential impact of the pattern of dense residential development in the Fisher Avenue / Ferris Avenue / Haarlem Avenue corridor on wildlife has not yet been studied.

Point II: Site Plan Extensions for Hamilton Green Should Not Be Granted while White Plains' Outdated Comprehensive Plan Remains under Citizen Review

It has become increasingly apparent that White Plains' Comprehensive Plan, developed in 1997 and amended in 2006, is outdated, has fulfilled its purposes, is without popular support, and is no longer appropriate as a justification for projects which are not merely small- or mid-sized projects, but truly very large projects. It is for reasons such as these that White Plains has outlayed public funds to engage BFJ Planning to undertake a broad gathering of citizen input and a proposed updated Comprehensive Plan. This process is vitally important to ensure that continued real estate development in White Plains aligns with the city's current needs and a popular vision of the city's future.

¹ See, e.g., Miranda, J.A., J. Waldman, and S. E. Alter. 2018. "Testing Environmental DNA Techniques to Assess American Eel Populations in the Bronx River." Section I: 1-23 pp. In D.J. Yozzo, S.H. Fernald, and H. Andreyko (eds.), Final Reports of the Tibor T. Polgar Fellowship Program, 2015. Hudson River Foundation, available at https://www.hudsonriver.org/wp-content/uploads/library/Polgar_Miranda_TP_01_15_final.pdf. The New York State Department of Environmental Conservation lists the American Eel as a "High Priority Species of Greatest Conservation Need:" see <https://www.dec.ny.gov/animals/7494.html>

The continued use of the existing Comprehensive Plan, when it is on the verge of obsolescence, to justify transformative development at massive scale, is in effect to let the priorities and concerns that prevailed fifteen or even twenty-four years ago continue to reign over us today, when both the issues that concern us and the makeup of the citizenry itself have changed. The use of the Comprehensive Plan for this purpose also tends to undermine the current effort to update the Comprehensive Plan, since some of the priorities and concerns citizens wish to raise in that process will be rendered moot by the ongoing use of the old Comprehensive Plan to justify transformative, irreversible change. Therefore, I think proposed actions, such as the present request for extension of Hamilton Green's site plan approval beyond the existing October 6, 2021 deadline, which rely on the existing Comprehensive Plan should be viewed skeptically by the Common Council.

I am hoping that the forthcoming update of the Comprehensive Plan will result in the inclusion of these factors when considering projects like Hamilton Green:

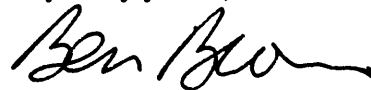
- Given our region's enormous need for housing, dense development would probably still be supported;
- Consideration of environmental impacts would be greater; there would be mitigation of the impacts of significantly greater use on recreational and environmental resources;
- The social value of housing of the "luxury rental" model would receive greater scrutiny, given that both the rents and the supplemental charges for amenities are burdensome on citizens,² and this model of housing does not allow citizens to build home equity nor does it encourage them to view themselves as long-term residents with a stake in improving our community;
- Nonetheless, given Westchester's dearth of rental housing for households that legitimately need it (e.g., young people moving out of their parents' homes; refugees; families undergoing divorce or other transitions; college and university students; people on temporary work assignments), construction of moderately priced rental housing would still be supported;
- There would be greater focus on regionalism, including ensuring White Plains' efforts to increase the supply of housing are reciprocated by other municipalities also approving large-scale developments (we should not face the burdens and disruptions of development alone);

² I raised this issue in the July 2, 2018 public hearing regarding Hamilton Green, in connection with my viewpoint that the developer was not providing citizens enough value in return for the massive economic windfall it was receiving by virtue of the re-zoning decision.

- The need for affordable housing for all segments of society would be addressed not just by the inclusion of a limited number of subsidized affordable units, or payments-in-lieu-of, but by increasing the regional supply of housing so much that the market cost of housing would actually decrease;
- The focus on regionalism would include an effort to remove exclusionary zoning policies in our neighboring municipalities, to address an imbalanced living pattern which is characterized by de facto residential segregation along lines of economic class and race. For example, the fact that neighboring municipality Mount Pleasant is still mostly zoned for large single family homes on quarter-acre, half-acre, and one-acre plots, and does not have any requirement for developers to build affordable units, does not reflect a balanced regional development pattern. When White Plains allows dense, partially designated-affordable development like Hamilton Green without addressing exclusionary zoning policies in neighboring municipalities like Mount Pleasant (which has four Metro North stations), we exacerbate Westchester's problem of residential segregation.

Please accept my sincere thanks for your consideration of my comments on this application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ben Brown", with a stylized, flowing script.

Benjamin Brown